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Attorney Docket No. SGUS0007 - 12013US02

REMARKS

The present application includes claims 2-51. Claims 31-36, 41-43, 48, and 50 were objected to by the Examiner, but found to be allowable if rewritten. Claims 2-30, 37-40, 44-47, 49, and 51 were rejected. By this Amendment, claims 31-36 have been canceled and claims 2-4, 21, 41-43, and 48 have been amended.

Claims 2-7 and 21-23 were rejected under 35 U.S.C. §102(b) as being anticipated by Dawson, U.S. Patent No. 5,594,490.

Claims 8-13 and 37-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dawson in view of Thacker, U.S. Patent No. 6,011,548.

Claims 14-20, 44-46, 49 and 51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dawson in view of Thacker in further view of Willis, U.S. Patent No. 6,385,647.

Claims 24-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dawson in view of the UPS Web Tracking Application.

Claim 47 was rejected under 35 U.S.C. §103(a) as being unpatentable over Dawson in view of the UPS Web Tracking Application and Willis.

Claims 31-36, 41-43, 48, and 50 were objected to by the Examiner, but found to be allowable if rewritten in independent form. The limitations of claim 31-36 were similar, consequently, the limitation of claim 31 has been amended into independent claim 21 and claims 31-36 have been canceled. Claims 42-43, and 48 have been

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amended to depend form the proper claim after the cancellation of claims 31-36. Claim

41 has been rewritten in independent form.

         We now turn to the rejection of claims 2-7 and 21-23 under 35 U.S.C. §102(b) as

being anticipated by Dawson. Dawson teaches a system for distributing files from a

central location to a plurality of cable headends. As shown in Figures 1 and 2 and

described beginning at Col. 5, Line 15, Dawson teaches a distribution location 3

including a storage area 7 and a transmitter server (TS) 9. The TS 9 retrieves files from

the storage area 7 and then segments the files into a plurality of data packets in

accordance with the TCP/IP protocol, as described at Col. 6, Lines 37-45.

         The TCP/IP packets travel to the satellite uplink facility 25 and are transmitted

using the satellite 31 to a plurality of cable headends 5. The cable headends 5 includes a

receiver server (RS) 39 that examines the TCP/IP packets to determine if any of the

packets include an error, as described at Col. 9, Lines 42-47. If a TCP/IP packet includes

an error, RS 39 uses the modem 45 to send a notice of the failed packet back to the

distribution location 3 as described at Col. 9, Lines 60-65. The distribution location 3

may then retransmit the packet using either the satellite or the modem.

         Col. 5, Lines 45-67, describes the control methodology for selecting which files to

transmit to the headends. Specifically, Dawson describes that the COPY instruction may

come from an operator or from "traffic and billing software" (Col. 5, Lines 54-55).

However, Dawson does not describe the operation of any such software. Further,

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Dawson teaches that all desired files are already stored on the hard drive storage 7 and

does not teach any system for updating the contents of the had drive 7.

Turning now to Figure 4 of the present application, Figure 4 illustrates a producer

12 and a delivery server 16. The delivery server 16 includes media file storage for

storage of media files. Media files may be pulled from the media storage and transmitted

to receivers via a satellite. Consequently, while some broad parallels may be drawn in

some instances between the delivery server 16 and the central distribution location 3 of

Dawson, Dawson does not teach anything like the producer 12 of the present application.

In the present application, as described beginning at page 18, the producer 12

aggregates at least one file and at least one address list into a package. The package

comprises an envelope and at least one file. The envelope for the package is passed to

the mailman software agent 83 at the delivery server 16. The files for the package are

passed to the hard disk 91 on the delivery server.

Additionally, as described at page 19, the mailman agent 83 reads the envelope,

determines the related files and confirms that the files are available at the deliver server

16. The mailman agent 83 then e-mails the envelope to all of the clients 92-96. If the

client is a satellite affiliate 20, then the package (including both the envelope and the

files) is also transmitted via satellite.

As described beginning on page 22, the clients include a poling agent 108 that

automatically calls delivery server either according to a schedule or in response to a

"tickle" or triggering communication from the delivery server. The triggering

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communication may be the delivery server dialing the client's modem, allowing the modem to ring twice, and then hanging up. Once the poling agent 108 contacts the delivery server 16, the delivery server confirms whether the client 20 has received all the files it was supposed to receive. If the client 20 has not received a file, then the file is sent via FTP to the client 20.

Dawson does not teach the use of a "tickle" or triggering communication to cause a remote client to access the delivery server and download information. Additionally, Dawson does not teach that information to be delivered to affiliates is enclosed in a package and that the package includes an envelope portion having addressing information.

Turning now to the claims, the present application includes independent claims 2, 3, 4, and 21. Claims 2-3 have been amended to include the limitation that the affiliate computers pull information from a media server in response to a triggering communication from a media server. Claim 4 has been amended to include the limitation that the information is enclosed in a package having addressing information. As discussed above, neither of these limitations is taught by Dawson. Consequently, independent claims 2-4 and their respective dependent claims 5-7 are respectfully submitted to be allowable.

Independent claim 21 has been amended to include the limitations of claim 31, which was previously found to be allowable by the Examiner. Consequently, claim 21 and its dependent claims 22-23 are also respectfully submitted to be allowable.

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The Applicant now turns to the rejection of claims 8-13 and 37-40 under 35
U.S.C. §103(a) as being unpatentable over Dawson in view of Thacker. As discussed
above, claims 2-4 and 21 are respectfully submitted to be allowable. Claims 8-13 and 37-
40 depend from claims 2-4 and 21 and are consequently also respectfully submitted to be
allowable.

The Applicant now turns to the rejection of claims 14-20, 44-46, 49 and 51 under
35 U.S.C. §103(a) as being unpatentable over Dawson in view of Thacker in further view
of Willis. As discussed above, claims 2-4 and 21 are respectfully submitted to be
allowable. Claims 14-20, 44-46, 49 and 51 depend from claims 2-4 and 21 and are
consequently also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 24-30 under 35 U.S.C. §103(a)
as being unpatentable over Dawson in view of the UPS Web Tracking Application. As
discussed above, claims 2-4 and 21 are respectfully submitted to be allowable. Claims
24-30 depend from claims 2-4 and 21 and are consequently also respectfully submitted to
be allowable.

The Applicant now turns to the rejection of claim 47 under 35 U.S.C. §103(a) as
being unpatentable over Dawson in view of the UPS Web Tracking Application and

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Willis. As discussed above, claim 21 is respectfully submitted to be allowable. Claim 47

depends from claim 21 and is consequently also respectfully submitted to be allowable.

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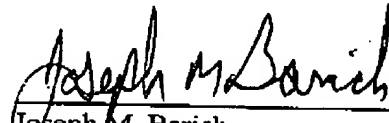Attorney Docket No. SGUS0007 - 12013US02

CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the

Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any

overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-

0017.

Respectfully submitted,

Date: _____October 17, 2005_____

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